

III. Remarks

Responsive to the outstanding Examiner's Action, applicants have carefully studied the references cited by the Examiner and the Examiner's comments relative thereto. Favorable reconsideration of this application is respectfully requested in light of the above amendments and the following detailed discussion.

Claim 1 has been amended. Claims 101, 102 and 103 have been added. No new matter has been added with these amendments. Claims 1, 6, 7, 9-18, 22-26 and now claims 101-103 are pending in the application.

The Examiner rejected claim 1 under 35 USC 102(b) as being anticipated by Guanter. The Examiner stated that Guanter is cited for showing a shelf with upturned portions and end caps.

Applicants respectfully submit that amended claim 1 is not anticipated by Guanter. As discussed on the telephone with the Examiner on August 5, 2003, Guanter does not teach end caps encapsulating both of the two upwardly turned portions to complete the barrier. Instead, Guanter suggests terminal elements 5 having grooves 6 that at most contain a C-shaped back portion of the shelf. In Guanter, the 90 degree, upwardly extending, "front" portion of the tray is not encapsulated by the terminal elements. The end portion of the terminal element is at best near the front upwardly extending portion of the tray once the terminal element is assembled on the tray. Thus, applicants respectfully submit that Guanter does not teach a barrier for containing spilled liquids to a shelf where the barrier includes at least two upwardly turned portions integrally formed from the surface of the shelf and end caps where the end caps

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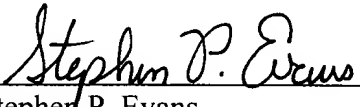
encapsulate both of the two upwardly turned portions of the barrier as now required by amended claim 1.

The Examiner also rejected claims 6, 7, 9-14 and 22-26 under 35 USC 103(a) as being unpatentable over Guanter and further in view of Neal. However, in light of the above discussion, newly amended claim 1 of the present invention is patentable.

Furthermore, claims 6, 7, 9-14 and 22-26 depend on amended claim 1, either directly or indirectly, and contain all of the limitations thereof. Therefore, because amended claim 1 is patentable and claims 6, 7, 9-14 and 22-26 depend on amended claim 1, claims 6, 7, 9-14 and 22-26 are patentable over the cited references.

Should the Examiner wish to modify any of the language of the claims, Applicants' attorney suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,



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